



**MINUTES
CITY COUNCIL MEETING
April 18, 2023**

CALL TO ORDER

The meeting was called to order at 6:30pm.

Present: Mayor: Charlie Miner; Council: Jahn Dyvik, Mike Feldmann, Gina Joyce, and Deirdre Kvale

Staff Present: City Administrator: Scott Weske; City Engineer: Brad Reifsteck; Planning Consultant: Hannah Rybak; City Attorney: John Thames; Fire Chief: Mike Heiland; and City Clerk: Jeanette Moeller

Absent: None

PLEDGE OF ALLEGIANCE

MAYOR'S COMMENTS – LONG LAKE NEWS, MEETING REVIEW AND UPDATES

Mayor Miner offered the following comments and updates:

Both an EDA meeting and a City Council work session occurred prior to the regular Council meeting.

Mayor Miner gave an overview of a meeting he'd had during the previous week with the new Metropolitan Council District 3 representative, Dr. Tyronne Carter. The Mayor also attended a Regional Council of Mayors meeting during that week.

Spring Clean-Up Day will be held on Saturday, April 22, 2023 at the Orono Public Works facility, and there will also be a drug take-back event at the clean-up day sponsored by the Hennepin County Sheriff's Office.

On Sunday, April 23, 2023, the Long Lake Fire Department will host their annual Pancakes & French Toast Breakfast from 8:00 am to 1:00 pm at Station 1.

APPROVE AGENDA

A motion was made by Feldmann, seconded by Joyce, to approve the agenda as presented. Ayes: all.

CONSENT AGENDA

The Consent Agenda consisted of:

- A. Approve Minutes of April 4, 2023 City Council Work Session Meeting
- B. Approve Minutes of April 4, 2023 City Council Meeting
- C. Approve Vendor Claims and Payroll
- D. Accept and Approve the 2023 Sanitary Survey Report for the Long Lake Public Water Systems as Prepared by the Minnesota Department of health
- E. Authorize and Direct Staff to Transfer \$129,161.27 from the Permanent Improvement Revolving Fund to the Sanitary Sewer Rehabilitation Fund to Close Out the Project
- F. Receive 1st Quarter 2023 Revenues and Expenditures

- G. Adopt Resolution No. 2023-20 Approving Issuance of Special Event Permit #S2023-03 for the Temporary Outdoor Patio at the Red Rooster Bar and Restaurant, Effective May 1, 2023 through October 1, 2023
- H. Adopt Resolution No. 2023-19 Approving a Salary Step Increase of Public Works Maintenance Worker I Matthew Menard from Step 3 to Step 4 of the 2023 Salary Plan Effective April 13, 2023
- I. Adopt Resolution No. 2023-22 A Resolution Ratifying Certain EDA Action for the Purchase of Property
- J. Adopt Resolution No. 2023-24 Approving Issuance of a Special Event Permit #S202304 for the Temporary Outdoor Patio at Carbone's Pizzeria Long Lake, Effective May 1, 2023 through September 30, 2023

Council member Kvale noted that regarding Consent Agenda Item F, under Public Works, there is a budget for workers comp which reflects \$0 budgeted, but year-to-date, the City has spent \$16,000. She sought clarification on the discrepancy.

City Administrator Weske clarified that the report indicated workers comp was reallocated to the public administration line item, which was why the budgeted amount wasn't showing on the Public Works line. He indicated he would examine the financial report a bit more closely and provide further explanation as a follow up.

*A motion was made by Joyce, seconded by Dyvik, to approve the Consent Agenda as presented.
Ayes: all.*

OPEN CORRESPONDENCE

Bryan Miller, 295 Lakeview Avenue – Mr. Miller recalled that Orono's Mayor Walsh had stated, as far back as last summer, that Orono would be starting their own Fire Department. They have since registered with the State of Minnesota, purchased a ladder truck, and hired the former Long Lake Chief for their 'department'. In his opinion, he feels the City should just let them go because Long Lake does not need Orono to be part of their Fire Department. It would be nice if they could all work together as a community, but he felt it should be crystal clear to everyone by now that the current Orono officials are not interested in 'playing nice'. He commented that since Long Lake held the open house in November 2022 to discuss the situation, Orono residents have begun to ask questions that he has not heard one Orono official attempt to answer. He stated that Orono's approach has been irresponsible and unacceptable, and he believes that attempting to follow them into the future is a bad idea. He indicated he feels that Orono is trying to trick, deceive, and bamboozle the City of Long Lake in order to take control; and explained that he did not feel Long Lake could do business with people who do not demonstrate good governance. He observed that he fully expects that when they come forward with 'numbers' for the cost of their department it will be another attempt to bamboozle folks. He shared that he feels Orono has clearly shown that they will never be buddies or pals with the City of Long Lake and encouraged the Council to rescind their current counter offer to the City of Orono. Long Lake would be fine without Orono, and he reiterated that because of the lack of transparency that they have demonstrated to their residents and with the City, he would also encourage the Council to seek some kind of contingency to the counter offer where Orono is obligated to demonstrate that the majority of residents in Orono are onboard with the idea of starting their own Fire Department. He emphasized that he felt Long Lake needed to just let Orono go so they are not in charge of the Department's destiny or dignity.

BUSINESS ITEMS

Long Lake Update/Year in Review from the Wayzata Police Department – Marc Schultz, Chief of Police

Marc Schultz, Wayzata Chief of Police, provided a year in review presentation related to policing in Long Lake and to updates within the Wayzata Police Department. He reviewed personnel changes that occurred in 2022, including the addition of K-9's Loki and Riggs, the employment of new Deputy Chief Jamie Baker, and the addition of a traffic enforcement officer.

Sergeant Jason Gehrman shared information about K-9 Loki's breed and described the special training Loki has had for Search and Rescue operations. He highlighted a few examples of incidents where Loki was dispatched for a search and rescue response.

Chief Schultz reviewed the embedded social worker program that was added in 2022 and explained that he felt this has been a phenomenal addition to the department. He reviewed some of the expected changes for the Department in 2023, call statistics for Long Lake during 2022, and responded to various Council questions throughout his presentation.

Mayor Miner expressed the City's appreciation to the Wayzata Police Department and for their responsiveness to the City.

Award Contract for the 2023 Pavement Improvement Project

City Engineer summarized the proposed contract for the 2023 Pavement Improvement Project. He noted that the City received seven very competitive bids for the project, and based on the bids received, staff is recommending awarding the contract to Valley Paving, Inc. He shared details of the plans and answered Council questions with regard to the timeframe for the work to be completed.

A motion was made by Miner, seconded by Joyce, to adopt Resolution No. 2023-23 awarding the construction contract for the 2023 Pavement Improvement Project to Valley Paving, Inc. and to authorize the Mayor and City Administrator to enter into a contract for said services. Ayes: all.

Approve City of Long Lake Fair Housing Policy

Planning Consultant Rybak explained that the adoption of a Fair Housing Policy is required by Metropolitan Council in order for the City to maintain eligibility for Livable Communities Act grant funding, and reviewed examples of the types of grants available. She clarified that this was something that had fallen through the cracks during the transition between her, former planner Peggy Sue Imihy, and the arrival of COVID-19. She briefly reviewed the requirements for and the details of the proposed Fair Housing Policy.

A motion was made by Dyvik, seconded by Miner, to adopt the City of Long Lake Fair Housing Policy dated April 18, 2023. Ayes: all.

Discussion and Consider Authorization of Fire Department Equipment Purchases

Weske advised that he and the Fire Chief Heiland have been reviewing the status of the fleet.

Chief Heiland discussed the work staff has done on the stagnant CIP to create something that is viable for the Department. Chief Heiland and Deputy Chief Ryan Gonsior reviewed details regarding the various equipment in the fleet and highlighted priority equipment replacements necessary for compliance with current National Fire Protection Association (NFPA) standards.

Council and staff reviewed the various equipment details with a focus on potential replacements for Utility 11 and Engine 11; supply issues versus order and delivery timelines; and possible ways to

take some steps to fill the gap and get caught up with CIP purchases including consideration of some refurbished equipment.

Council member Dyvik stated that he would be in favor of moving forward with the purchase of a new utility vehicle and also locking in a price on a used Excelsior Fire District engine coming up for sale.

Council members discussed items that had been listed on Chief Heiland's revised draft CIP and the replacement dates.

Chief Heiland pointed out that to his understanding, there had not been a major CIP purchase since 2017 or 2018.

Council member Feldmann reflected that he believes funds are available for some equipment purchases.

Council member Joyce indicated that she was completely on board with the idea of the equipment replacements being considered.

The Council commented on messaging they feel the City of Orono has given about future CIP purchases.

Council member Dyvik proposed that the City go ahead and approve the purchase of two vehicles: Engine 11 from the Excelsior Fire District, and a new Utility 11 for Station 1.

Council member Feldmann reiterated that there are CIP funds that have been sitting idle.

Weske mentioned that he believes there is about \$230,000 budgeted in the CIP.

The Council discussed the possibility of purchasing the Explorer currently on loan to the Long Lake Fire Department from the City of Orono.

A motion was made by Dyvik, seconded by Joyce, to proceed with the ordering of a replacement for Utility 11 as discussed, to be called Rescue 11 in the future.

Council member Dyvik noted that this item would be put forth for Orono's consideration at some point so they can decide if they want to proceed according to the contract terms.

Ayes: all.

A motion was made by Dyvik, seconded by Joyce, to pursue and lock-in an agreement with the Excelsior Fire District on the purchase of what is known as Engine 21 to replace Long Lake Engine 11. Ayes: all.

Chief Heiland and Deputy Chief Gonsior also described the need for radio replacements and suggested a leasing arrangement. Council and staff discussed the cost of leasing radios versus buying, and the components of the proposed lease arrangement.

A motion was made by Joyce, seconded by Miner, to proceed with a portable radio lease for six radios, as discussed. Ayes: all.

Fire Chief Heiland and Deputy Chief Gonsior further highlighted their desire for mobile radios for first out vehicles for both Station 1 and 2 - Engine 11, Rescue 21, and the two tankers. Their hope was

for Council to consider authorizing leasing one mobile radio now and then add others in subsequent years. Deputy Chief Gonsior explained that the vehicles were previously equipped with mobile radios, but at the time they became obsolete, former Fire Chief Van Eyll preferred they be replaced with a different radio style versus the mobile radios preferred by the current leadership.

The Council discussed current radios in the existing fleet and the advantages in mobile radios.

A motion was made by Miner, seconded by Dyvik, to lease two Motorola mobile radios for the Fire Department. Ayes: all.

Council member Joyce commented that she felt it was helpful for the Council to have this type of dialogue with the Fire Department and noted that she would like to see it continue.

Updates and Discussion Regarding Fire Department Matters

Council member Dyvik asked if there had been a response regarding the bill that was recently sent out to the cities for the 2022 Fire Department budget overage.

Weske replied that he had not seen a response yet and clarified that a bill was sent out because the Fire Department had expenses over budget for 2022.

Council member Dyvik referenced a communication from Orono sent back in 2014 and read aloud their statement regarding the CIP at that time explaining why they could not afford to increase their CIP contribution. He noted that within this communication they also asked that the CIP be adjusted to reflect a flat \$85,000 contribution toward fire capital. Their recent statements regarding the CIP not being funded properly can be partially connected to their position in 2014.

Weske added that he had saved another communication from 2017 when the Fire Advisory Board was trying to get a 3% annual increase that Orono had also rejected.

Council member Dyvik indicated that the narrative he felt Orono has been putting out recently is that Long Lake had mismanaged the capital needs of the Fire Department, and the fact is that Orono had made the decision not to increase their contribution. It has also been stated during the last few Orono meetings that negotiations were still happening and that they were still talking to Long Lake. For clarity, he stressed that this was not a true statement, and they have not been talking to the City since December. He had personally offered to meet with the Orono Council negotiators at least three times, and the answer each time has been, 'no'. He emphasized that although they say they are talking to the City, they are not.

Mayor Miner mentioned that there will be a Future Fire Services held in early May.

OTHER BUSINESS

Pickleball Interest / P3 Sports Dome Update - Council member Dyvik observed that pickleball has been a topic of discussion in many of the surrounding communities and added that Orono recently discussed possibly placing courts behind Fire Station 1. City Clerk Moeller stated that the owners of the P3 Sports Dome were contacted by someone from Orono with an offer that they were interested in paving P3's parking lot if they could put in some pickleball courts at the property. Staff is working with the property owner to look at all the details of this proposal.

Street Sweeper Grant Opportunity - Council member Dyvik shared a recent conversation he'd had with the Eden Prairie Public Works Director. When he had commented that the City of Long Lake had recently bought a street sweeper, this individual asked if they had received any grants

because there are apparently some available for that purpose from watershed districts. Weske responded that he would check into possible grant opportunities for this purchase.

Zvago Building Height - Council member Dyvik stated that the height of the Zvago building appears to be four stories on the liquor store side, and questioned if they had requested a variance or whether the plans were within the height limitations. Moeller clarified that height is calculated using the average grade which meant that applications are not approved by 'stories', but rather by the maximum height of 35 feet above average grade. Council member Dyvik pointed out that it was definitely more than 35 feet on that side of the building and wanted to confirm that this was allowed because it was averaged with the other side. Weske added that they may also have final grading to complete that will bring it down to a more manageable slope around the building.

ADJOURN

Hearing no objection, Mayor Miner adjourned the meeting by general consent at 9:35 pm.

Respectfully submitted,

Scott Weske
City Administrator